

## HALL COUNTY BOARD OF SUPERVISORS MEETING MAY 18, 2004

The Hall County Board of Supervisors met May 18, 2004, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION Invocation was given by the Rev. Bob Stre tch.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL Present on roll call were Scott Arnold, Jim Eriksen, Dick Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Bob Rye. Also present were County Attorney Jerry Janulewicz and news media representatives from the *Grand Island Independent* and KRGI.

Eriksen made a motion and Jeffries seconded to approve the following by consent agenda.

1. Accept and place on file the minutes of the May 4<sup>th</sup> meeting
2. 5a Accept on file the Road Department quarterly report
3. 5b Approve Resolution #04-0024 for the stop sign for Wood River Road and Burwick Road
4. 12 Receive and place on file the tort claim of Michael and Denise Wissing
5. 13 Approve Resolution #04-0025 for the exchange of collateral for Union Bank in the amount of \$200,000.00
6. 15 Approve the final plat for Hayes Family Subdivision
7. 18 Approve the Proclamation #04-0026 for EMS week
8. 23 Accept and place on file the office reports for the Register of Deeds, Hall & Howard County Juvenile Services, County Sheriff and County Clerk
9. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
10. 25 Accept and place on file communications as received.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

### OFFICE REPORT APRIL 2004

TITLE FEES STATE	\$15,522.00
TITLE FEES COUNTY	\$ 8,152.00
RECORDING FEES	\$ 60.00
MARRIAGE LICENSES	\$ 555.00
PHOTO FEES/FAX FEES & MISC.	\$ 18.60
PLAT BOOKS/OTHER	36.00
CERTIFIED COPIES MARRIAGE LICENSES	\$ 95.00
TIME CARD FEES	\$ 15.00
TOTAL	24,453.60

OFFICE REPORT  
HALL COUNTY JUVENILE SERVICES  
APRIL 2004

JUVENILE REFERRALS	56 JUVENILES
JUVENILE OFFENDERS	5 JUVENILE
JUVENILE HOUSE ARREST	2 JUVENILES
TOTAL UNDER SUPERVISION	311 JUVENILES
FEES COLLECTED	\$820.00

OFFICE REPORT  
HOWARD COUNTY JUVENILE SERVICES  
MARCH 2004

JUVENILE REFERRALS	3 JUVENILES
TOTAL JUVENILE ENROLLEES	21 JUVENILES
FEES COLLECTED FOR MONTH	\$200.00
TOTAL FEES COLLECTED FISCAL YEAR	\$ 650.00

OFFICE REPORT  
REGISTER OF DEEDS  
APRIL 2004

DOCUMENTARY STAMP FEES	\$ 5,468.65
RECORDING FEES	23130.00
PHOTO FEES	690.65

OFFICE REPORT  
HALL COUNTY SHERIFF  
MARCH 2004

TOTAL FEES, MILEAGE & MISECELLANEOUS	\$16,433.05
COPIES	69.00
HANDGUN APPLICATIONS	30.00
TITLE INSPECTIONS	2,880.00

OFFICE REPORT  
HALL COUNTY SHERIFF  
JANUARY FEBRUARY & MARCH 2004

COPIES	\$ 230.30
HAND GUN PERMIT APPLICATIONS	\$ 170.00
MOTOR VEHICLE INSPECTIONS	\$7,240.00

2a DISCUSSION & ACTION ON KENO GRANT AGREEMENT FOR HEARTLAND EVENTS CENTER – County Attorney Jerry Janulewicz completed an agreement with Heartland Events Center for the \$150,000.00 keno grant that the board approved last year. In order to insure compliance with state law , so the dollars are used for community betterment, this document makes the arrangement clear and it is a grant agreement for the keno funds. The agreement is with the City of Grand Island. Fonner manages the center. This also allows the county to use this agreement for budgeting purposes. The funds are to be paid to the City and this agreement insures that the funds are assessable to the County in case the center is not constructed. Mike Johnson attorney for Fonner Keno was present.

Jeffries made a motion and Arnold seconded to approve the agreement.

Hartman questioned if the center would be on the tax roles. It would not be.

Mike Johnson Attorney for Heartland stated that there is a lease purchase with the City and Fonner for the management of the center. If there are shortfalls they would be absorbed by Fonner Park. The center will be debt free and the city occupation tax will be used to assist with the operation

Hartman noted that the center in Lincoln is still losing money. Jeffries stated that the county cannot worry about what will happen in 30 years, he believes that the county needs to support it. The proposed agreement protects the county's interests.

Vote on the motion. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2b DISCUSSION & ACTION ON COUNTER OFFER OF CHAMBER OF COMMERCE FOR LEASE SPACE FOR VISITORS PROMOTION –County Attorney stated that this has been discussed with the chamber and they have not reached an agreement. He requested an executive session.

Jeffries made a motion and Arnold seconded to go into executive session for contract negotiations. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:15 a.m. executive session

10:45 a.m. Jeffries made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:45. a.m. Jeffries made a motion and Hartman seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Arnold made a motion and Hartman seconded to reject the counter proposal from the Chamber of Commerce regarding the lease space for Convention Visitors Bureau and withdraw the original proposal. Arnold, Eriksen, Hartman, Humiston Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Mike Toucan with the CVB Board was present and he stated that they tried to work out an agreement but could not do so.

**4 HEALTH INSURANCE RENEWAL DISCUSS AND AUTHORIZE CHAIR TO SIGN RENEWAL CONTRACT** – Lee Johns with Mid America Benefits was present to review the renewal for the health insurance. The market has softened for self funded plans and the county has had a good year. He received bids from 14 different carriers and 2 were fully insured plans but they declined because they could not be as complete with our plan. The county has a stop loss of \$60,000.00 on each person; the administration fees have stayed the same. He reviewed the fixed costs and the aggregate costs. He is recommending to stay with the county's current carrier and he is working on a new carrier for the life policy. This reflects a 2.3% renewal, which is an excellent renewal. The family premium will be \$833.36 and single coverage will be \$337.55. Mr. Johnson stated that this is an excellent renewal for this year but next year the County will see normal increases for next year. Hartman made a motion and Jeffries seconded to approve the 2004 2005 insurance renewal and authorize the chair to sign. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

**6 DAN SMITH WITH KIRKPATRICK PETTIS DISCUSSION REGARDING BOND ISSUE FOR JAIL PROJECT** – Lancaster stated that DLR and Kutek Rock recommended Kirkpatrick Pettis. Dan Smith and Paul Grieger with Kirkpatrick Pettis were present to discuss the proposed bond issue for the jail. Mr. Smith stated they recently assisted with the school bond issue. In order to move forward with the project a time line needs to be set up. He suggested using July and August to assemble the details and then in September and November start the process to educate the public. He stressed the importance of providing the same consistent message to the public. He suggested contacting people in the community to endorse the project. This can be done verbally and with an advertising program. It is also important to encourage people to register to vote and get out and vote. It is important to establish the need for the new facility. There has been some concern on the interest rates but Nebraska State Statutes allow refinancing the bonds at any time.

Lancaster stated that part of the jail is 100 years old this year. She stated that it is important to implement the next steps for this project. Arnold noted that the county cannot use public funds to promote an issue but they can provide information. Mr. Smith stated that they would be able to provide a brochure and an outline that the board could use. It is important to get organized now before the board gets to the active part of the campaign.

**2c DISCUSSION AND ACTION ON CAFETERIA PLAN** – Lancaster stated that the audit committee met and reviewed the plan document. JJ Green with North Central Marketing was present. The plan has a \$2,400.00 maximum on the reimbursed meal expenses and this will be a full plan year from July 1 through June 30, 2005. The audit committee is recommending approving the plan. Jeffries made a motion and Hartman seconded to approve the plan document with North Central Marketing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

**10:30 A.M. PUBLIC HEARING MID NEBRASKA AGGREGATES CONDITIONAL USE PERMIT** Jeffries made a motion and Humiston seconded to open the public hearing.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

A public hearing was held 30 days ago and several issues were brought forward. The conditional use committee met to address these issues and adjustments were made to the proposal. All of the issues have been agreed on. Jeffries stated that the committee recommends approving the conditional use permit.

Chairman Lancaster called for public participation and no one responded.

Hartman made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Humiston seconded to approve Resolution #04 0027 for the conditional use permit for Mid Nebraska Aggregates. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2D DISCUSS AND AUTHORIZE CHAIR TO SIGN SUB RECIPIENT AGREEMENT WITH NEBRASKA STATE PATROL REGARDING HIDTA GRANT – County Attorney Jerry Janulewicz stated that this grant is for funding for a US District Attorney to prosecute the meth crimes in the area. The City of Grand Island was the fiscal agent but now the Nebraska State Patrol will handle this grant. He has submitted a contract for the board's approval. Arnold made a motion and Jeffries seconded to approve the HIDTA grant and authorize the chair to sign. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2e EXECUTIVE SESSION DISCUSS LITIGATION STRATEGY CARTER V. HALL COUNTY – Jeffries made a motion and Hartman seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10:37 a.m. executive session

11:00 Hartman made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

County Clerk Marla Conley read the EMS proclamation.

8, CONNIE HULTINE – DISCUSS & AUTHORIZE CHAIR TO SIGN GRANT APPLICATION FROM NEBRASKA CRIME COMMISSION – Connie Hultine was present requesting that the board approve and sign the grant application. These are funds from the Nebraska Crime Commission that they have received for the last three years. The total request is for \$48,500.00 and they are used to support her position as the drug court coordinator. There are matching funds but they are paid from the participant's fees. Arnold made a motion and Humiston seconded to authorize the chair to sign the grant application.

Jeffries questioned how many people have completed the course and Ms. Hultine stated that they have recently graduated 4 and they have 115 participants. Hartman stated that if you save one person it is well worth it. This program is working. These are federal dollars so county tax dollars are not used if the people go through the courts. This programs holds down the number of repeat offenders.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9a,b DISCUSSION & ACTION ON REQUEST FOR BIDS FOR DOCUMENT IMAGING SYSTEM AND DISCUSSION & ACTION ON REQUEST FOR BIDS FOR IBM SERVER County Attorney Jerry Janulewicz stated that he worked on these request but it is a \$100,000.00 project and he did not have enough time to do justice to them and does not feel comfortable to approve them. Lancaster stated that the dollars could be rolled over to the reserve fund so this can be tabled. Hartman made a motion and Humiston seconded to table the request for proposals. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

19 DISCUSS PROPOSED CONDITIONAL USE PERMITS FOR SAND & GRACEL OPERATIONS AT 3812 & 3820 SOUTH BLAINE – Eriksen stated that he put this item

on the agenda because the County received notice because we are the caretakers of the Hall County Park and he has concerns on what affect this would have on the park.

Arnold stated that pumping operations are necessary and they do not want to prohibit them but there are ramifications to the residents that live next to them. He would like to ask the city council to use the same restrictions that the county has recently used. Jeffries reviewed the county's restrictions. Arnold stated that he did not think the traffic would be a problem, but there is the hike and bike trails.

A resident from Rainbo Road stated that some of the residents did not receive notices. She stated that this is a nice residential area and people do walk around the lake.

Richard Miner expressed concern on the traffic on Blaine Street and questioned what the affect would be on the wells in the area.

Scott Lesinger stated that they have a petition that they are taking to the City Council and he expressed concern on the noise.

Jeffries stated that there were concerns on the Werner permit but they were worked out.

Hartman stated that he owns the land and he may not even pump. He will work out the concerns that the residents have.

Discussion was held concerning drafting a letter to the City listing the restrictions that the county used on the recent permits that they issued.

Erickson made a motion Jeffries seconded to draft a letter to the City addressing the concerns for the park and list the restrictions that the county used. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Hartman abstained.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded.

17 HOWARD MAXON EMERGENCY MANAGEMENT DIRECTOR – CONSIDER APPROVAL OF SUB RECIEPIENT AWARD FOR FFY 2004 EMERGENCY MANAGEMENT PROGRAM FEDERAL FUNDING ASSISTANCE –Deputy Director Therese Muchow was present regarding the FEMA funding. This request is for \$47,400.00 and it requires that the County Board Chair sign the application. It is contingent with the application with the State of Nebraska. Hartman made a motion and Humiston seconded to authorize the Chair to sign the application. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and none voted no. Jeffries was absent for the vote. Motion carried.

10. AUDIT COMMITTEE RECOMMENDATION – DISCUSS & APPROVE ENGAGEMENT LETTER FOR HALL COUNTY AND KENO AUDITS – The audit committee met and discussed the letter and because of federal requirements it is now necessary for government entities to file the GASBE 34 audit. This will be completed for this year without any addition fees from McDermott & Miller. The committee recommends that the board approve the engagement letter and there will be additional fees as stated. Arnold made a motion and Humiston seconded to approve the

engagement letter for the Hall County audits with McDermott & Miller. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and none voted no. Jeffries was absent for the vote. Motion carried.

## 20 EXECUTIVE SESSION CONTRACT NEGOTIATIONS FOR INFORMATION TECHNOLOGY DIRECTOR

21 EXECUTIVE SESSION UNION NEGOTIATIONS – Humiston made a motion and Jeffries seconded to go into executive session for contract negotiations and union negotiations. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and none voted no. Jeffries was absent for the vote. Motion carried.

12:45 p.m. to 1:32 p.m. executive session for union negotiations

1:33 p.m. 1:50 p.m. executive session for contract negotiations

1:50 p.m. Jeffries made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11 DISCUSS & APPROVE KENO APPLICATION FOR 2004-2005 FISCAL YEAR – board Assistant Stacey Ruzicka asked the board members if they wanted to follow the same process for the keno applications.

Arnold stated that he sits on the Crime Commission Board and they have a committee to review the grant applications and they do not sit and listen to presentations. He would like to review the applications before the presentations and he suggested using a process like this to eliminate some of the politics and do a better job of selecting the grantees. Jeffries agreed that his may work better and maybe they could review the applications and rate them. Concern was expressed that some people may not be able to write an effective grant application as others.

Hartman expressed concern that some of the small towns or ball teams would not have the time to write a lengthy application form. Arnold stated that the application form would be the same but he suggests not having the one presentation. There should be criteria that the board follows and also decide what kind of projects that the board wants to fund.

Lancaster agreed that the board needs to set up criteria to follow but she still wants to meet with the people. Arnold expressed concern on that fact that it is a public meeting and doesn't think they can be honest in an open meeting.

Hartman stated that is the board's job to do this and wants to meet as a full board. Lancaster stated that the board needs to decide what process they want to file and make the applications available and set a deadline. Discussion was held.

Arnold made a motion and Humiston seconded to set the deadline for the keno applications for July 16<sup>th</sup> at 8:30 a.m. and meet on August 9<sup>th</sup> to go over the keno applications from 5:00 p.m. to 10:00 p.m. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.



16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND ACTION ON CLAIM AUDIT  
Hartman made a motion and Arnold seconded to approve the bi weekly pay claims.  
Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none  
voted no. Motion carried.

BOARD ASSISTANT'S REPORT – no report

BOARD MEMBERS REPORTS – no reports

Chairman Lancaster questioned what action the board wanted to take concerning the  
information from Don Smith with Kirpatrick Pettis. Discussion was held if the board  
wanted to do an RFP but this would delay the entire process. This firm has worked with  
DLR and worked on the school bond issue in Grand Island.

Hartman made a motion and Eriksen seconded to hire Kirpatrick Pettis as the  
underwriter for the upcoming bond issue for the jail. Arnold, Eriksen, Hartman,  
Humiston, Lancaster and Rye all voted yes and Jeffries voted no. Motion carried.

Chairman Lancaster called for new or unfinished business and no one responded.

Meeting adjourned at 2:30 p.m. The next meeting will be May 18, 2004.

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Marla J. Conley Hall County Clerk